

Message Text

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TO SECSTATE WASHDC IMMEDIATE 3367

LIMITED OFFICIAL USE SECTION 1 OF 4 OECD PARIS 18067

E.O. 11652: N/A

TAGS: ENRG, OECD

SUBJECT: ENERGY: INFORMAL PAPERS FOR DISCUSSION DURING
VISIT OF OECD'S LANTZKE AND SCOTT

1. DR. LANTZKE AND MR. SCOTT HAVE PROVIDED MISSION
WITH THREE INFORMAL PAPERS THEY WOULD LIKE TO DISCUSS
IN WASHINGTON DURING COURSE OF THEIR JULY 26 VISIT.
PAPERS (TEXTS BELOW) ARE (A) DRAFT FRAMEWORK OF OECD
COUNCIL DECISION WHICH WOULD ESTABLISH THE ENERGY
EMERGENCY PROGRAMME AGENCY; (B) DRAFT RESOLUTION OF
COUNCIL CONCERNING ESTABLISHMENT AND TERMS OF
REFERENCE OF AN ENERGY POLICY COMMITTEE; AND
(C) DRAFT RESOLUTION OF COUNCIL CONCERNING ESTABLISH-
MENT AND TERMS OF REFERENCE OF AN ENERGY RESEARCH AND
DEVELOPMENT STEERING COMMITTEE.

PROVISIONAL NAMES OF AGENCIES OR SUBORDINATE BODIES

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HAVE BEEN EMPLOYED AS A DRAFTING CONVENIENCE.

2. DECISION OF THE COUNCIL
ESTABLISHING THE ENERGY EMERGENCY PROGRAM AGENCY
OF THE ORGANIZATION

THE COUNCIL,

HAVING REGARD TO THE CONVENTION ON THE ORGANIZATION
FOR ECONOMIC COOPERATION AND DEVELOPMENT OF 14TH DECEM-
BER, 1960 (HEREINAFTER CALLED THE "CONVENTION"), AND, IN
PARTICULAR, ARTICLES 5(A), 6, 9, 12, 13 AND 20 OF THE
CONVENTION;

HAVING REGARD TO THE FINANCIAL REGULATIONS OF THE
ORGANIZATION AND, IN PARTICULAR, TO ARTICLES 5, 10, 14
(B) AND 16(B) THEREOF;

HAVING REGARD TO (COMPLETE WITH APPROPRIATE REFER-
ENCES TO RELEVANT OECD REPORTS AND ACTS);

DECIDES:

ARTICLE 1

THE ENERGY EMERGENCY PROGRAM AGENCY
(A) AN ENERGY EMERGENCY PROGRAM AGENCY (HEREINAFTER
CALLED THE "AGENCY") IS HEREBY ESTABLISHED WITHIN THE
FRAMEWORK OF THE ORGANIZATION.

(B) THE AGENCY SHALL PREPARE, ADOPT AND CARRY OUT THE
INTEGRATED EMERGENCY PROGRAM (IEP) IN ACCORDANCE WITH
ARTICLE 2 HEREOF. UPON THE PROPOSAL OF THE GOVERNING
COUNCIL OF THE AGENCY, THE COUNCIL OF THE ORGANIZATION
MAY CONFER ADDITIONAL RESPONSIBILITIES UPON THE AGENCY.

ARTICLE 2

THE INTEGRATED EMERGENCY PROGRAM

(A) THE AGENCY SHALL IMPLEMENT A PROGRAM OF COOPERATION
IN THE ENERGY POLICY FIELD. THIS PROGRAM SHALL HAVE
THE FOLLOWING OBJECTIVES:
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(I) TO ENABLE MEMBERS JOINTLY TO PREPARE FOR
INTERRUPTIONS OR REDUCTIONS IN OIL SUPPLIES;
(II) TO PROVIDE A COOPERATIVE MECHANISM ENABLING
PROMPT RESPONSE BY MEMBERS TO INTERRUPTIONS
OR REDUCTIONS IN OIL SUPPLIES;
(III) TO PROVIDE A FRAMEWORK FOR ALL FORMS OF COOPERA-
TION IN THE ENERGY POLICY FIELD RELATED TO THE
INTEGRATED EMERGENCY PROGRAM.

(B) THE INTEGRATED EMERGENCY PROGRAM SHALL INCLUDE THE FOLLOWING ELEMENTS:

(I) COMMITMENT TO ESTABLISHMENT OF COMMON DEMAND RESTRAINT MEASURES IN AN EMERGENCY;

(II) THE DEVELOPMENT OF A COMMON LEVEL OF EMERGENCY SELF-SUFFICIENCY IN ENERGY SUPPLIES;

(III) ESTABLISHMENT AND IMPLEMENTATION OF MEASURES FOR THE ALLOCATION OF AVAILABLE OIL IN TIME OF SHORTAGE OR EMERGENCY;

(IV) AN UNDERTAKING TO DEVELOP AND IMPLEMENT A LONG-TERM COOPERATIVE PROGRAM TO REDUCE DEPENDENCE ON IMPORTED OIL (AND TO TAKE ADDITIONAL MEASURES DEEMED NECESSARY TO ASSURE THE EFFECTIVENESS OF THE IEP) (AND TO TAKE ADDITIONAL MEASURES REQUIRED TO CARRY OUT EFFECTIVE INTERNATIONAL COOPERATION IN THE DEVELOPMENT AND USE OF ENERGY RESOURCES).

(C) IN DEVELOPING AND CARRYING OUT THE INTEGRATED EMERGENCY PROGRAM, THE AGENCY SHALL TAKE DUE ACCOUNT OF THE PROGRAM'S ECONOMIC AND ENVIRONMENTAL CONTEXT AND THE PRIORITIES OF MEMBERS OF THE AGENCY.

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ARTICLE 3

PARTICIPATION

(A) THE FOLLOWING OECD MEMBER COUNTRIES SHALL BE MEMBERS OF THE AGENCY:

(TO BE COMPLETED)

(B) OTHER OECD MEMBER COUNTRIES SHALL BE ENTITLED TO APPLY AT ANY TIME FOR MEMBERSHIP IN THE AGENCY. APPLICATIONS SHALL BE SUBMITTED TO THE GOVERNING COUNCIL WHICH SHALL, AFTER DETERMINING THAT AN APPLICANT WILL BE ABLE TO CARRY OUT THE INTEGRATED EMERGENCY PROGRAM, ADMIT THE APPLICANT TO MEMBERSHIP IN THE AGENCY.

(C) THE COMMISSION OF THE EUROPEAN ECONOMIC COMMUNITY
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SHALL TAKE PART IN THE WORK OF THE AGENCY.

(D) THE AGENCY SHALL, BY DECISION OF THE GOVERNING COUNCIL, DETERMINE THE ARRANGEMENTS BY WHICH COUNTRIES WHICH ARE NON-MEMBERS OF THE AGENCY MAY BE ASSOCIATED WITH ITS WORK.

ARTICLE 4

STRUCTURE

THE AGENCY'S RESPONSIBILITIES SHALL BE CARRIED OUT UNDER THE AUTHORITY OF THE AGENCY'S GOVERNING COUNCIL, BY THE BODIES ESTABLISHED PURSUANT TO THE PRESENT DECISION AND BY THE SECRETARIAT OF THE AGENCY.

ARTICLE 5

THE GOVERNING COUNCIL

(A) THE POWERS OF THE AGENCY SHALL BE VESTED IN THE GOVERNING COUNCIL WHICH SHALL HAVE THE AUTHORITY TO DECIDE ALL QUESTIONS FALLING WITHIN THE COMPETENCE OF THE AGENCY, INCLUDING THE POWER TO DELEGATE RESPONSIBILITIES TO SUBORDINATE BODIES ESTABLISHED PURSUANT TO THE

PRESENT DECISION.

(B) THE GOVERNING COUNCIL IS EMPOWERED WITHIN THE
FIELDS OF COMPETENCE OF THE AGENCY

- TO MAKE DECISIONS WHICH SHALL, EXCEPT AS
OTHERWISE PROVIDED, BE BINDING UPON MEMBERS;
- TO MAKE RECOMMENDATIONS TO MEMBERS; AND
- TO AUTHORIZE THE AGENCY TO ENTER INTO AGREEMENTS
AND CONTRACTS ON BEHALF OF THE ORGANIZATION.

(C) THE GOVERNING COUNCIL SHALL BE COMPOSED OF ALL
MEMBERS OF THE AGENCY. MEMBERS SHALL BE REPRESENTED IN
THE GOVERNING COUNCIL BY MINISTERS OR SENIOR OFFICIALS
DESIGNATED BY THEM FOR THAT PURPOSE. THE AGENCY SHALL
MAINTAIN A LIST OF THE OFFICIALS SO DESIGNATED.
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(D) EACH MEMBER OF THE AGENCY SHALL HAVE ONE VOTE IN
THE GOVERNING COUNCIL. THE GOVERNING COUNCIL SHALL ACT
BY A MAJORITY OF THE MEMBERS PRESENT AND VOTING, ON THE
FOLLOWING MEASURES:

(TO BE COMPLETED)

THE GOVERNING COUNCIL SHALL ACT BY AGREEMENT OF TWO-
THIRDS OF ITS MEMBERS PRESENT AND VOTING, ON THE FOLLOW-
ING MEASURES:

(TO BE COMPLETED)

THE GOVERNING COUNCIL SHALL ACT BY AGREEMENT OF ALL
MEMBERS PRESENT AND VOTING, ON THE FOLLOWING MEASURES:

(TO BE COMPLETED)

(E) WHEN THE GOVERNING COUNCIL AUTHORIZES SPECIAL ACTI-
VITIES WHICH ARE TO BE CARRIED OUT AND FINANCED BY A
LIMITED NUMBER OF PARTICIPATING MEMBERS, OR ADOPTS
MEASURES FOR THE IMPLEMENTATION OF SUCH ACTIVITIES, THE
NON-PARTICIPATING MEMBERS SHALL ABSTAIN FROM VOTING.

(F) NO DECISION OF THE AGENCY SHALL BE BINDING ON ANY
MEMBER UNTIL IT HAS COMPLIED WITH THE ANNOUNCED REQUIRE-
MENTS OF ITS OWN CONSTITUTIONAL PROCEDURES. THE OTHER
MEMBERS MAY AGREE THAT SUCH A DECISION SHALL APPLY PRO-
VISIONALLY TO THEM.

(G) THE GOVERNING COUNCIL SHALL, UNLESS IT DECIDES

OTHERWISE, MEET FOUR TIMES EACH YEAR IN REGULAR SESSION,
AND SHALL MEET AS REQUIRED AT MINISTERIAL LEVEL. THE
GOVERNING COUNCIL SHALL ELECT A CHAIRMAN AND ONE OR
MORE VICE-CHAIRMEN AND FIX THEIR TERMS OF OFFICE AND
FUNCTIONS. THE GOVERNING COUNCIL MAY ADOPT RULES OF
PROCEDURE CONSISTENT WITH THE PRESENT DECISION.

(H) THE GOVERNING COUNCIL SHALL REPORT ANNUALLY TO THE
COUNCIL OF THE ORGANIZATION ON THE ACTIVITIES OF THE
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AGENCY. THE GOVERNING COUNCIL SHALL SUBMIT, UPON THE
REQUEST OF THE COUNCIL OF THE ORGANIZATION OR ITS OWN
INITIATIVE, OTHER COMMUNICATIONS TO THE COUNCIL OF THE
ORGANIZATION.

ARTICLE 6

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SUBORDINATE BODIES

(A) THE GOVERNING COUNCIL SHALL ESTABLISH SUCH COMMITTEES, WORKING PARTIES AND OTHER SUBORDINATE BODIES AS IT DEEMS NECESSARY.

(B) THE MEMBERSHIP, FUNCTIONS, VOTING RULES AND PROCEDURES OF SUBORDINATE BODIES SHALL BE DETERMINED BY THE GOVERNING COUNCIL.

ARTICLE 7

RELATIONS WITH OTHER OECD BODIES

THE GOVERNING COUNCIL AND SUBORDINATE BODIES SHALL PERFORM THEIR DUTIES IN COOPERATION WITH OTHER COMPETENT BODIES OF THE ORGANIZATION ON QUESTIONS WHICH COME WITHIN THEIR TERMS OF REFERENCE. THESE BODIES MAY

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CONSULT THE GOVERNING COUNCIL AND APPROPRIATE SUBORDINATE BODIES OF THE AGENCY ON ALL QUESTIONS RELATING TO THE ACTIVITIES OF THE AGENCY.

ARTICLE 8

STAFF OF THE AGENCY

(A) THE EXECUTIVE DIRECTOR OF THE AGENCY SHALL BE APPOINTED BY THE GOVERNING COUNCIL UPON THE RECOMMENDATION OF THE SECRETARY-GENERAL. THE STAFF OF THE AGENCY SHALL FORM PART OF THE SECRETARIAT OF THE ORGANIZATION. THE STAFF OF THE AGENCY AND THE OTHER MEMBERS OF THE SECRETARIAT OF THE ORGANIZATION SHALL COOPERATE AS REQUIRED TO CARRY OUT THEIR RESPECTIVE RESPONSIBILITIES.

(B) THE GOVERNING COUNCIL MAY DETERMINE THE MEASURES BY WHICH STAFF MAY BE LOANED OR SECONDED TO THE AGENCY FROM THE PUBLIC AND PRIVATE SECTORS. CONSULTANTS TO THE AGENCY MAY BE APPOINTED FOR A PERIOD EXCEEDING THAT PROVIDED IN REGULATION 2(B) OF THE REGULATIONS AND RULES FOR COUNCIL EXPERTS AND CONSULTANTS OF THE ORGANIZATION.

ARTICLE 9

BUDGET OF THE AGENCY

(A) THE EXPENDITURE OF THE AGENCY SHALL BE CHARGED AGAINST THE APPROPRIATIONS AUTHORIZED FOR IT UNDER

PART II OF THE BUDGET OF THE ORGANIZATION. EACH MEMBER'S SHARE IN FINANCING SUCH EXPENDITURE SHALL BE FIXED BY THE COUNCIL IN PROPORTION TO ITS SHARE IN THE GENERAL SCALE OF CONTRIBUTIONS DESIGNED TO FINANCE PART I EXPENSES, IN ACCORDANCE WITH THE RESOLUTION OF THE COUNCIL ON DETERMINATION OF THE SCALE OF CONTRIBUTIONS BY MEMBER COUNTRIES TO THE BUDGET OF THE ORGANIZATION (C(63)155 FINAL). THE SPECIAL EXPENSES INCURRED BY THE AGENCY ON ACCOUNT OF A SPECIAL ACTIVITY CARRIED OUT BY A LIMITED NUMBER OF PARTICIPANTS MAY BE CHARGED, UNDER A SCALE OF CONTRIBUTIONS FIXED BY THE GOVERNING COUNCIL, TO THE MEMBERS PARTICIPATING IN THE ACTIVITY.

(B) THE GOVERNING COUNCIL SHALL SUBMIT THE ANNUAL LIMITED OFFICIAL USE

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BUDGET PROPOSALS OF THE AGENCY TO THE COUNCIL OF THE ORGANIZATION FOR ADOPTION BY DECISION TO BE TAKEN BY THE MUTUAL AGREEMENT OF THE MEMBERS OF THE AGENCY. IN THE COUNCIL OF THE ORGANIZATION, NON-MEMBERS OF THE AGENCY SHALL ABSTAIN FROM VOTING ON THE BUDGET OF THE AGENCY.

(C) NOTWITHSTANDING THE PROVISIONS OF ARTICLE 14(B) OF THE FINANCIAL REGULATIONS, THE GOVERNING COUNCIL MAY ACCEPT VOLUNTARY CONTRIBUTIONS AND GRANTS AS WELL AS PAYMENTS FOR SERVICES RENDERED BY THE AGENCY UNDER CONTRACTUAL ARRANGEMENTS IN RESPECT OF SPECIAL ACTIVITIES.

(D) NOTWITHSTANDING THE PROVISIONS OF ARTICLE 16(B) OF THE FINANCIAL REGULATIONS OF THE ORGANIZATION, APPROPRIATIONS IN RESPECT OF THE SPECIAL ACTIVITIES REFERRED TO IN PARA. (C) ABOVE, FOR WHICH NO COMMITMENT HAS BEEN ENTERED INTO BEFORE THE END OF THE FINANCIAL YEAR FOR WHICH THEY WERE APPROPRIATED, SHALL BE AUTOMATICALLY CARRIED FORWARD TO THE BUDGET FOR THE ENSUING YEAR BY DECISION OF THE SECRETARY-GENERAL.

ARTICLE 10

RELATIONS WITH OTHER COUNTRIES AND INSTITUTIONS

THE AGENCY MAY, BY DECISION OF THE GOVERNING COUNCIL, ESTABLISH SUCH WORKING RELATIONS, AS MAY BE APPROPRIATE TO FACILITATE THE ACCOMPLISHMENT OF ITS TASKS, WITH OECD MEMBER COUNTRIES WHICH ARE NOT MEMBERS OF THE AGENCY, WITH NON-MEMBER COUNTRIES OF OECD, WITH INTER-GOVERNMENTAL AND NON-GOVERNMENTAL INTERNATIONAL ORGANIZATIONS, AND WITH PRIVATE COMPANIES, ASSOCIATIONS

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AND OTHER ENTITIES.

DRAFT RESOLUTION OF THE COUNCIL
CONCERNING THE ESTABLISHMENT AND TERMS OF REFERENCE
OF AN ENERGY POLICY COMMITTEE

THE COUNCIL,
HAVING REGARD TO ARTICLES 1 AND 2 OF THE
CONVENTION ON THE ORGANISATION FOR ECONOMIC CO-OPERATION
AND DEVELOPMENT OF 14TH DECEMBER, 1960;

HAVING REGARD TO (COMPLETE WITH APPROPRIATE
REFERENCES TO RELEVANT OECD REPORTS AND ACTS);

DECIDES:

1. AN ENERGY POLICY COMMITTEE IS HEREBY ESTABLISHED
TO PROMOTE CO-OPERATION BETWEEN MEMBER COUNTRIES ON
ENERGY POLICIES AND TO STUDY AND EXCHANGE VIEWS ON SUCH
POLICIES.

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WM THE COMMITTEE'S COMPETENCE SHALL EXTEND TO ALL ASPECTS OF ENERGY POLICY AND ALL ENERGY RESOURCES.

3. THE COMMITTEE SHALL ESTABLISH A WORKING PARTY TO EXAMINE TECHNICAL QUESTIONS INCLUDING INFORMATION NEEDS SUCH AS SHORT AND LONG-TERM FORECASTS.

4. THE COMMITTEE SHALL MAINTAIN THE NECESSARY LIAISON WITH THE ENERGY EMERGENCY AGENCY, THE STEERING COMMITTEE FOR ENERGY RESEARCH AND DEVELOPMENT AND THE NUCLEAR ENERGY AGENCY. THE COMMITTEE SHALL ALSO ESTABLISH THE NECESSARY LIAISON WITH OTHER COMMITTEES AND BODIES OF THE ORGANISATION, FOR THE PURPOSE OF TAKING INTO ACCOUNT AS FULLY AS POSSIBLE THE ECONOMIC ASPECTS OF ENERGY POLICIES AND FOR OTHER PURPOSES.

5. THE ENERGY POLICY COMMITTEE MAY, WITHIN ITS FIELD OF COMPETENCE, SET UP SPECIALISED EXPERT GROUPS, INCLUDING A WORKING PARTY ON OIL.

6 THE FUNCTIONS OF THE OIL COMMITTEE, AS DEFINED IN PARAGRAPH 103 OF THE REPORT BY THE PREPARATORY COMMITTEE, IN THE RECOMMENDATION OF THE COUNCIL OF 29TH JUNE, 1971, AND IN THE DECISION OF THE COUNCIL OF 14TH NOVEMBER, 1972, REFERRED TO ABOVE, SHALL BE UNDERTAKEN BY THE ENERGY POLICY COMMITTEE.

7 THE MANDATES OF THE OIL COMMITTEE AND THE ENERGY COMMITTEE ARE HEREBY TERMINATED.

8. (ADD REPEALING PROVISIONS AND CONSEQUENTIAL EMENDMENTS TO RULES OF PROCEDURE ANNEX.)

DRAFT RESOLUTION OF THE COUNCIL
CONCERNING THE ESTABLISHMENT AND TERMS OF REFERENCE
OF AN ENERGY RESEARCH AND DEVELOPMENT
STEERING COMMITTEE

THE COUNCIL,
HAVING REGARD TO ARTICLE 1 OF THE CONVENTION ON
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THE ORGANIZATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT OF 14THE DECEMBER, 1960, WHICH DEFINES THE

AIMS OF THE ORGANIZATION;

HAVING REGARD TO ARTICLE 2 B) OF THE CONVENTION,
UNDER WHICH, IN PURSUIT OF THESE AIMS, THE MEMBERS
AGREE THAT THEY WILL, BOTH INDIVIDUALLY AND JOINTLY, IN
THE SCIENTIFIC AND TECHNOLOGICAL FIELD, PROMOTE THE
DEVELOPMENT OF THEIR RESOURCES, ENCOURAGE RESEARCH AND
PROMOTE VOCATIONAL TRAINING;

HAVING REGARD TO (COMPLETE WITH APPROPRIATE
REFERENCES TO RELEVANT OECD REPORTS AND ACTS);

DECIDES:

1. AN ENERGY RESEARCH AND DEVELOPMENT STEERING
COMMITTEE IS HEREBY ESTABLISHED, FOR THE PURPOSE OF
PROMOTING, BY ALL POSSIBLE MEANS, CO-OPERATION BETWEEN
MEMBER COUNTRIES IN THE FIELD OF ENERGY RESEARCH AND
DEVELOPMENT.

2. THE STEERING COMMITTEE SHALL BE RESPONSIBLE FOR:

- (A) EXCHANGING INFORMATION AND OPINIONS CONCERNING
NATIONAL RESEARCH AND DEVELOPMENT PROGRAMMES;
- (B) DETERMINING THE PROGRAMMES WHICH MIGHT CALL FOR
FURTHER CO-OPERATION AT THE INTERNATIONAL LEVEL;
- (C) IMPLEMENTING SPECIFIC CO-OPERATIVE PROJECTS;
- (D) MAKING A PERIODIC ASSESSMENT OF THE RESULTS OBTAINED.

3. THE STEERING COMMITTEE SHALL WORK IN CLOSE LIAISON
WITH THE ENERGY POLICY COMMITTEE AND THE ENERGY
EMERGENCY AGENCY. IN ADDITION TO ITS OTHER FUNCTIONS,
THE STEERING COMMITTEE SHALL, IN RESPECT OF ENERGY
RESEARCH AND DEVELOPMENT, GIVE GUIDANCE TO AND CO-
ORDINATE THE ACTIVITIES OF THE COMMITTEE FOR SCIENTIFIC
AND TECHNOLOGICAL POLICY AND THE OECD NUCLEAR ENERGY
AGENCY.

4. THE STEERING COMMITTEE CAN SET UP EXPERT WORKING
PARTIES AND MAKE PROPOSALS TO THE COUNCIL CONCERNING
ACTIVITIES WITH A RESTRICTED PARTICIPATION WHICH ARE
FINANCED UNDER PART II OF THE BUDGET.

5. PARAGRAPH 23 OF THE ANNEX TO THE RULES OF
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PROCEDURE IS AMENDED AND SHALL READ AS FOLLOWS:

"23. ENERGY RESEARCH AND DEVELOPMENT STEERING
COMMITTEE: ITS TERMS OF REFERENCE ARE DEFINED
IN THE RESOLUTION OF THE COUNCIL C(74) (FINAL)."
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